

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

AUG 16 2005

JOHN F. CORCORAN, CLERK  
BY:  DEPUTY CLERK

BETTY G. MYERS,	)	CIVIL ACTION NO. 3:02CV00093
	)	
Plaintiff,	)	
	)	
v.	)	<u>ORDER</u>
	)	
JO ANNE B. BARNHART,	)	
	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	JUDGE JAMES H. MICHAEL, JR.

By order dated February 26, 2003, this case was referred to the presiding United States Magistrate Judge, for proposed findings of fact and a recommended disposition. Following a ruling on the merits, the plaintiff filed a motion for award of attorney fees under the Social Security Act, 42 U.S.C. § 406(b), on June 15, 2005. The Commissioner responded and indicated that she did not oppose the plaintiff's motion. On July 18, 2005, the Magistrate filed a Report and Recommendation, in which he recommended that the motion be granted. After a careful review of the entire record in this case, and no objection having been filed to the Magistrate's Report within ten (10) days of its service upon the parties, *see* Fed. R. Civ. P. 72(b), the court adopts the magistrate judge's Report in its entirety. It is accordingly this day

ADJUDGED, ORDERED, AND DECREED

as follows:

1. The Report and Recommendation of the United States Magistrate Judge, filed July 18, 2005, shall be, and it hereby is, ADOPTED in its entirety;

2. The plaintiff's motion for award of attorney's fee under the Social Security Act, 42 U.S.C. § 406(b), filed June 15, 2005, shall be, and it hereby is, GRANTED;

3. Counsel for the plaintiff shall be, and hereby is, awarded seventeen thousand thirty-three dollars and 25/00 cents (\$17,033.25) in attorney fees under the Social Security Act, 42 U.S.C. § 406(b).

The Clerk of the Court hereby is directed to send a certified copy of this Order to all counsel of record and to Magistrate Judge Crigler.

ENTERED:

*Janet H. Michael, Jr.*  
Senior United States District Judge

8-16-05  
Date